

DETAILED ACTION

Election/Restrictions

1. Claims 13-21, 24-25 and 28-34 are directed to an allowable process for preparing a toner. Additionally, claims 23-25, previously withdrawn from consideration as a result of a restriction requirement, no longer withdrawn from consideration and are hereby rejoined since these claims also include allowable subject matter and therefore they are allowed.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Lee L. Stepina on Wednesday September 1, 2010.

The application has been amended as follows:

- a) In claim 13 line 2, "type" has been deleted.
- b) In claim 17 line 3, "type" has been deleted.
- c) In claim 23 line 1, "type" has been deleted.
- d) In claim 28 line 2, "type" has been deleted.

3. The following is an examiner's statement of reasons for allowance: a review of the claims and the applicant's argument indicates that the claims distinguish over the prior art of record. Withdrawal of all outstanding rejections is warranted in this case.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye Francis whose telephone number is 571-272-4423. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on 571-272-4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Faye Francis/
Primary Examiner
Art Unit 3725

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